

# **Police Race Relations in England and Wales: Theory, Policy, and Practice**

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This paper considers key features of police race and ethnic relations in England and Wales during the last two decades. A particular theoretical perspective, based on the view that race is a social construction, underpins the argument presented. The key concept explored is that of 'racialization'. First, the history of immigration and settlement into Britain will be charted briefly. Two key moments that have defined police race relations and drawn them to police and public attention - the 1981 riots in London and the racist murder of Stephen Lawrence - are then analyzed. Through these analyses, the ways in which the occupational culture of the police rank and file has sustained particular relationships between the police and ethnic minority groups is emphasized. Finally, whilst it is recognized that some aspects of cultural difference between minority and majority ethnic groups are of relevance to policing, it is argued that an over-emphasis on multiculturalism can reinforce rather than ameliorate, racial prejudice and discrimination.

**Key Words:** Police, Race, Race Relations, Ethnicity, Multi- culturalizm.

## **Introduction**

This paper considers key features of police race and ethnic relations in England and Wales during the past two decades.<sup>1</sup> A particular theoretical perspective, based on the view that race is a social construction, underpins the argument presented. This sociological perspective allows us to analyze the different ways in which race and ethnic relations are articulated within police forces and takes us into territory neglected by criminologists (Smith, 1997; Tonry, 1997). Rather than scrutinize outcomes of the police use of legal and other powers, in particular how they are differentiated along lines of race and ethnicity, it is argued that the task of the

criminologist is to describe and analyze social processes that lead to differential outcomes. Studies about the outcomes of police action are not dismissed out of hand. They are viewed as the starting point, rather than the endpoint, of research about policing in general and police race and ethnic relations in particular. Here, the key concept is “racialization,” the ascription of race as a significant or the essential feature of a phenomenon, event, or relationship. (Holdaway, 1996; Omi and Winant, 1994).<sup>2</sup>

Race is a social construct, a form of categorization that places people into groups defined by erroneous biological and/or cultural characteristics. We know that there are inherited differences between people, but they are continuous, not separate, essential clusters of traits (Gilroy, 1993). That which is often viewed commonsensically as biologically or culturally natural, as essential to a person, is in fact rather tenuous. As Michael Banton put it some time ago:

As a way of categorizing people, race is based upon a delusion because popular ideas about racial classification lack scientific validity and are moulded by political pressure rather than by the evidence from biology.

(Banton and Harwood, 1975)

The concept of racialization, then, allows us precisely to analyze data on the basis that race is socially constructed. (See Holdaway, 1996 for a full discussion of the notion of racialization.) It moves us away from the orientation that racial prejudice and/or discrimination, and therefore the attitudes and actions of individuals, should be the focus of research. It should prevent us from reifying the notion of race, as has been so often the case with the concept of “racism.” Racism has been used in so many different ways that it has become a catch-all, sometimes referring to individual racists, sometimes to wholly reified institutions, and sometimes to whole societies, as if none of these phenomena have any relationship to human action, other than one of straightforward determinism.

It was argued above that racialization means the ascription of race as a significant or the essential feature of a phenomenon, event, or relationship. The research task is to therefore describe and analyze social processes that construct phenomena with the meaning of race. The basic point to emphasize is that the concept of racialization allows us to identify mundane processes that construct relationships within and without the police, and that can be called race (or racialized) relations.

Crucially, I want to argue that this perspective allows us to move beyond what is sometimes called direct discrimination, to consider how an apparent absence or neglect of the salience of race to routine policing can sustain negative relationships between the police and ethnic minorities.<sup>3</sup> I will maintain that the use of negative

ideas about black youths, as drug users and as offenders, for example, played a key role in the police action that led to the near riots on the streets of Brixton, London, in 1981 (see "The Brixton Incident"). I will also argue, however, that officers' neglect of race as relevant to their work can also create difficult relationships with ethnic minorities. This point will be illustrated through a consideration of the way in which the London Metropolitan Police investigated the murder of a black youth, Stephen Lawrence, failing to define it as a racially motivated crime. Both incidents led to very tense relationships between the police and the main ethnic minorities in England. Relationships between ethnic minorities and the police therefore run a continuum from a clear presence to a somewhat elusive absence of race.

This perspective is not just of academic interest but also of direct relevance to practical reform. Studies of the differential outcomes of legal powers, for example, can do nothing more than direct reformers' attention to what preceded them (Tonry, 1997; Holdaway, 1997). The study of outcomes does little more than lead us into constabularies, to their policies, to their working practices, and, crucially, to their occupational cultures. We cannot reform police prejudice and discrimination adequately if we do not describe and analyze the actions that led to their expression through the use of law, policy, routine behavior toward ethnic minorities, and so on.

Without a careful consideration of this routine world of policing, strategies to change the police will be based on an erroneous belief that a primary emphasis on new legislation, new policies, new managerial strategies, new training concerned with multiculturalism, or other interventions to change policing are sufficient. The problem that then confronts us is that virtually every study of policing worth its salt has told us that there is a clear distinction between law as it is written and law in action, between policy as it is written and policy in action (Chatterton, 1976; Manning, 1977). The concept of racialization sensitizes us to this distinction and, ironically, is essential for an understanding of police race relations.

First, to set the scene, the history of immigration and settlement into Britain will be charted briefly. Next, two key moments that have defined police race relations and drawn them to police and public attention will be identified and analyzed. One, the serious disturbances in Brixton, London, during, 1981, demonstrates how officers' negative images of black youths can affect police race relations (Scarman OBE, 1981). The other incident, the police investigation of the murder of Stephen Lawrence in 1993, demonstrates how officers' failure to consider the pertinence of race to policing can create calamitous relationships with ethnic minorities (Sir William MacPherson of Cluny, 1999). These highly visible examples are taken because they are momentous and have an important place in the history of police race relations in the United Kingdom. However, the crucial point is that they do not

provide us with extraordinary evidence that is only of relevance to momentous events. Indeed, it will be seen that they lead us to the ways in which mundane policing runs a thread through the everyday and more spectacular events that have made up the history of police race relations in the United Kingdom. In a brief paper like that, these two events are of value because they indicate in sharp focus processes of racialization that are to be located in the mundane world of everyday policing. Their analytical purpose is to direct us to the occupational culture of the rank and file, to what officers take for granted in their everyday work.

Some findings from research related to these key defining moments will be described. These are officers' use of stop-and-search powers and the policing of racial attacks, "hate crimes" as they are sometimes called. Crucially, the ways in which the occupational culture of the police rank and file, which holds the continuum of the presence and absence of race, has sustained particular relationships between the police and ethnic minority groups in contemporary England and Wales will be emphasized.<sup>4</sup>

Finally, I argue that, although some aspects of cultural differences between minority and majority ethnic groups are of relevance to policing, an overemphasis on multiculturalism can reinforce rather than ameliorate racial prejudice and discrimination. For example, I cannot imagine how the policing of contemporary Israel would be enhanced greatly if Israeli police training and race relations policy were based primarily on an understanding of the cultures of Arabs. Similarly, the racialized divisions of the United States are not primarily those of conflicts and misunderstandings of culture.<sup>5</sup> The problems of police race and ethnic relations are much more complex, with the negative portrayal of minorities by police officers at their core. A focus on multiculturalism can exacerbate conflict between the police and ethnic minorities, masking negative processes of racialization.

## **The Historical Context**

History is not a straightjacket. Histories of immigration and settlement form frameworks of material opportunity as well as public and private consciousness of the continuing worth, desert, and character - the lives and identity - of immigrant peoples.<sup>6</sup>

Initial immigration in the 1950s and 1960s was first from the West Indies and then from India; from Africa, when Indian Asians were expelled from Uganda by Idi Amin; and from Bangladesh, with people from other areas (Hong Kong, for example) entering the country sporadically. Each group faced significant disadvantages when they first entered England; discrimination affected key areas of

their lives. During the past 40 years, however, a significant pattern of change has developed (Modood, 1997). The ethnic composition of England and Wales is approximately 94.1 percent white, 1.8 percent black, 2.9 percent South Asian, and 1.2 percent Chinese and others (OPCS, 1991).<sup>7</sup> Broadly speaking, Pakistanis and Bangladeshis are consistently at a disadvantage with respect to white people, and often with respect to other minorities. People of Caribbean and Indian origin, save those from Africa, are often found to experience disadvantage, but it is usually less serious than for Pakistanis and Bangladeshis. Chinese and African Asians have now reached a position of broad parity with the white population, behind on some indicators, housing for example, but ahead on others, educational qualifications being one (Modood, 1997).

This general description of the situation of ethnic minorities in England and Wales does not reveal differences of achievement and/or aspiration related to gender and age or differences of identity within and between minority groups. The adjective "black," which was the lit motif of antiracism policies in the 1980s and 1990s, cannot contain the diverse experience of Britain's ethnic minorities. These are not differences that warrant the primary analysis of Britain as a multicultural society, however. Differences of culture are important and relevant to police race and ethnic relations, but they are not their defining characteristic. The defining characteristic is a complex pattern of racialized relations, mostly formed in relation to skin color and other signifiers of race and of ethnicity.

### **Asking Questions of the Police**

The pace of change in police race relations has been driven mainly by external events, not the police. Until the early 1980s, the police took the widely accepted view that immigrants would gradually assimilate into our apparently homogeneous culture. The initial task for police was to understand different immigrant cultures and for people from those cultures to understand the traditions of English policing. When a problem of "police immigrant relations" (the term used) was identified, it was understood as a difficulty of communication across cultural barriers (Dear, 1972). The solution lay in better forms of communication, in the skills of officers working in specialist, police community relations departments, and through the provision of adequate information about immigrant cultures.

This approach had two main effects. It located police race relations within specialist departments, not within routine policing. The problems of policing "those people" became the concern of specialist officers who understood immigrants and their cultures. The work of the rank and file was largely unaffected by police community relations policies. Further, because immigrants were thought to have distinct

cultures, the idea that they were really different from the English was emphasized. They needed to and would mould their very different cultures into the mainstream culture of English society. Immigrants were therefore not citizens in the same sense as white people were citizens.

Within this framework of understanding, race relations were of little relevance to a local police commander and his officers.<sup>8</sup> The differential use of legal powers, for example, was not of relevance to the management of a police division. Business as usual required such subjects to be left to specialists. This was an approach that was to have calamitous effects and was of direct relevance to the first defining moment for police race relations that will be discussed, a near riot in London. Negative ideas about black people as criminals and drug users - not perceptions of cultural differences - were central to the events that precipitated it.

### **The Brixton Incident**

In 1981, what was for all intents and purposes a riot, occurred in Brixton, an inner-London borough, destroying the notion that problems of police race relations were problems of cultural differences, of inadequate communication, and so on. Following a rise in reported street robberies and so-called muggings, a police stop-and-search operation was put in place. Officers stopped more and more people, but the robberies continued and arrests were not forthcoming. The operation spiraled into conflict between local police and residents, who felt oppressed as they were stopped with increasing frequency.

Events came to a head when a taxi driver was stopped and searched by officers. He had been seen putting something into his sock. The taxi driver's explanation was that he had put bank notes there for safekeeping. Officers believed he was in possession of drugs and insisted on searching him immediately. A small crowd gathered as the incident developed and became the tinder to light a serious confrontation between many people and the police. Property was set on fire and looting occurred; violent clashes took place between officers and rioters, many but by no means all of whom were black.

Dominant ideas about ethnic minorities, black people in particular, were woven into the police action that led to the Brixton disturbances. Rank-and-file officers' ideas about black people as criminals and about their possession of drugs were taken for granted, intensifying the stop-and-search operation. Further, when they stopped the taxi driver, officers assumed that they could and should have total control of the incident, using crime control rather than peacekeeping techniques based on the sensitive use of discretion.

This centrality of near absolute control of police territory, however, is not an assumption that officers' have reserved for the policing of ethnic minorities. It is a key assumption and central to the occupational culture of policing (Holdaway, 1983). It is of relevance to the policing of ethnic minorities and the ethnic majority. When placed within the particular context of the policing of black people in Brixton (and other, similar contexts), however, conflict was generated. The creation of negative relationships between the police and ethnic minorities in Brixton was therefore associated with particular ideas about black people - as well as fundamental ideas about the control of a geographical area - of relevance to the policing of all ethnic groups. Ideas about ethnic minority cultures played no part in the riot. Ideas about the criminality of black youths and, crucially, about control and crime fighting were put into action within a framework of what officers regarded as routine policing.

This is a key point, fundamental to police race relations in England and, I am sure, to other societies. To understand police race relations, one certainly has to look at specific contexts of police work and related written policies and practices. The main concern, however, should be with how ethnic minorities are policed within the context of routine assumptions officers make about policing. Their ideas about race and ethnic minorities are moulded within this context. In Brixton, routinely accepted ideas about how policing is practised, including ideas about the pertinence of race to an incident, sustained negative relations between officers and members of an ethnic minority.

### **Stop-and-Search Powers**

The discriminatory use of stop-and-search powers was one of the significant problems the Brixton disturbances highlighted, and they remain a serious bone of contention for ethnic minorities (Spencer, 2000). The police have a power under the 1984 Police and Criminal Evidence Act to stop and search any person reasonably *suspected* of committing an offence. This legal power, which could be used to effect as a crime control strategy, has been found by research to lead to consistent discrimination against ethnic minorities and formed a means through which negative ideas about ethnic minorities have been expressed (Smith, 1997; Mooney, 1999).

A large study in the London, Metropolitan Police area where the 1981 disturbances occurred, for example, found that, when on foot, black men were four times more likely to be stopped than were people from other ethnic groups; 49 percent of West Indians who owned or said that they had regular use of a vehicle said they had been stopped by the police (Smith, 1986, pp. 249–255). The stop rate for Asian youths

was considerably lower than for the other ethnic groups. When the repetitive use of stops was considered, black youths were found to be stopped by an officer on average 5.06 times each year and white youths 1.94 times. The 'hit rate' of arrests from stops was 1 in 12, which hardly justified the discretionary use of the power and its damage to relationships between police and ethnic minorities. More recently, a study that revisited the London Metropolitan Police statistics found that the inequality for blacks remained and that young Asians<sup>9</sup> 'roaming the streets in deprived areas had made them easy targets but the police should not search them to try to 'get lucky'' (FitzGerald, 1999). This pattern of the use of stop and search holds for the whole country. Available figures published by the Home Office indicate that stop-and-search rates are five times higher for black people than for white people (Home Office, 1998).

In a study of my local constabulary - the South Yorkshire Police - in which figures for 1998 were analyzed, I found that young black males between ages 15 and 25 had a 1 in 3 chance of being stopped per year, Asians a 1 in 6, chance and whites a 1 in 10 chance. Blacks formed 0.8 percent of the county's population and Asians just over 3 percent (Holdaway, 2000). There is no evidence to indicate that similar findings would not be found in any of the 43 constabularies of England and Wales (Mooney, 1999).

In all these studies, it has been found that ethnic minorities, and predominantly black youths, are stopped for the suspected possession of drugs, often small amounts of cannabis that do not lead to a court appearance. In my South Yorkshire study, for example, it was found that black youths were most likely to be stopped for the possession of drugs, while white youths were most likely to be stopped for suspected possession of stolen goods or going equipped to steal. There is no available evidence to suggest that black youths use drugs more than any other ethnic group, however (Graham and Bowling, 1996). Stereotypical ideas about black youths as drug takers seem to have nevertheless informed police decision-making.

Although the actual number of young blacks and Asians stopped and searched in my study were small and the legal power used fairly infrequently, it cannot be assumed that its impact on the views of ethnic minorities has been proportionate. We can be confident that suspicions about the disproportionate use of stop-and-search powers have fueled a (correctly felt) sense of discrimination among ethnic minorities. Stories about being stopped and searched have flowed from person to person; newspaper accounts, however inaccurate, have added to this picture; other forms of communication have increased feelings of marginalisation and discrimination. Youths, and in some cases whole communities, have and continue to feel



criminalised. Negative, racialized relationships between the police and ethnic minorities have been sustained.

### **An Institutional Problem?**

A central feature of the official report into the 1981 disturbances was the rejection of the idea that there was institutional racism in the police (Scarman 1981, p. 64). Lord Scarman, the judge who conducted the inquiry, argued:

It was alleged by some of those who made representations to me that Britain is an institutionally racist society. If by that is meant that it is a society which knowingly, as a matter of policy, discriminates against black people, I reject the allegation.

The direction and policies of the Metropolitan Police are not racist. I totally and unequivocally reject the attack made upon the integrity and impartiality of the senior direction of the force. The criticisms lie elsewhere - in errors of judgement, in a lack of imagination and flexibility, but not in deliberate bias or prejudice.

Scarman acknowledged, "Racial prejudice does manifest itself occasionally in the behavior of a few officers on the streets . . . (and they can) lapse into unthinking assumptions that all young black people are potential criminals." A more collective, institutional understanding of police race relations was rejected, however.

Scarman's influential view, which held sway until recently, meant that if an institutional view of prejudice and discrimination was to be advanced, police policy *and* practice had to discriminate directly and openly against ethnic minorities. According to Scarman, officers' negative ideas about black people, which played such a central part in the Brixton incident, were not institutionalized within constabularies. The problems of racial prejudice and discrimination lay with a few racist officers, not with the intended and unintended outcomes of policies and practices, aspects of the occupational culture of policing, or any other more collective phenomena.

Police race relations policy was therefore directed toward screening out racist recruits, training that incorporated aspects of individual discrimination and prejudice, and so on. There was no imperative for race relations to be viewed as a dimension of constabularies as institutions. It took 18 years and another defining incident for such a discourse about police race relations to be articulated publicly. Ironically, it was a failure by the police to take into account the racialized nature of the murder of a black youth - a neglect of the racialized nature of a crime - that prompted a consideration of race relations within the police.

### The Stephen Lawrence Inquiry

Stephen Lawrence was an 18-year-old black youth who was murdered in 1993 by a group of white youths who shouted racist abuse at him as they made their unprovoked attack. Lawrence was merely standing at a bus stop with Duwayne Brookes, a friend. In essence, he was stabbed and killed for one reason, and one reason alone - he was black.

The police investigation of this murder was deeply flawed and its racist character not recognized by initial police inquiries, despite obvious evidence to the contrary. Stephen's parents launched a campaign for an independent investigation into the police handling of the murder investigation and, after repeated attempts to secure the attention of the government, were granted a public inquiry in 1997.

The notion of institutional racism was central to the Lawrence Inquiry Report, published in 1999, which defined it as:

The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.

(Sir William MacPherson of Cluny 1999, p. 29)

During the inquiry hearings, MacPherson's definition of institutional racism was put to but rejected by the then commissioner of the Metropolitan Police, Sir Paul Condon. He insisted that it implied that *all* his officers discriminated *deliberately* against black and other ethnic minority people. His preferred view of institutional racism, however, was less than clear. It vacillated between the analysis of racism as an individual and as a collective phenomenon, without any appreciation of how either might be related to police work and to officers working in his constabulary or any other institution. At the inquiry hearing, Condon said:

I recognize that individual officers can be, and are, overtly racist. I acknowledge that officers stereotype, and differential outcomes occur for Londoners. Racism in the police is much more than 'bad apples'. Racism, as you have pointed out, can occur through a lack of care and lack of understanding. The debate about defining this evil, promoted by the Inquiry, is cathartic in leading us to recognise that it can occur almost unknowingly, as a matter of neglect, in an institution. I acknowledge the danger of institutionalisation of racism. However, labels can cause more problems than they solve.

(MacPherson, 1999, p. 24)

This answer exasperated the Inquiry team, and it stated in its final report that the commissioner had failed to understand and accept that "institutional racism" was a concept of direct relevance to his organisation (MacPherson, 1999, p. 24).

## Grounding Institutional Life in Occupational Cultures

Institutions are patterns of behavior in any particular context which have become established over time as "the way things are". An institution has relevance and meaning in the social situation concerned; people will recognize it - will know it - if only in the normative specification of "how things are done". Institutions are an integral part of the social construction of reality, with reference to which, and in terms of which, individuals make decisions and orient their behavior.

(Jenkins, 1996, p. 29)

This matter-of-fact description of an institution orientates us perfectly to the analysis of institutional racism I will pursue. It requires a description and analysis of "how things are done," made common sense within what, from a more distanced standpoint, can be seen as problematic, partial, and particular. Jenkins goes on to make the point that "institutions...are emergent products of what people do as much as they are constitutive of what people do" (1996, p. 128).

Institutions emerge from taken-for-granted ways of working together; from related, taken-for-granted ways of thinking; and from taken-for-granted categorizations and self-definitions of identity. Institutions are objectified, but they should be conceptualized and researched as social processes that construct, sustain, and objectify them (Berger, 1967). This is where the concept of racialized relations is particularly germane. It is concerned precisely with the study of mundane relationships that lead to the attribution of race to particular phenomena that could be defined differently (Hughes, 1994; Holdaway, 1996).

The primary context within which these processes are articulated is the occupational culture of the police rank and file. Considerable research informs us about the contours and power of the rank-and-file occupational culture (Holdaway, 1983; Chan, 1997). It is pervasive, reaching across all ethnic groups, within and outside the police workforce. In their evidence to the MacPherson Inquiry, the Metropolitan Police Service Black Police Association representatives put it that:

We should not underestimate the occupational culture within the police service as being a primary source of institutional racism is the way that we differentially treat black people. Interestingly I say we because there is no marked difference between black and white in the force essentially. We are all consumed by this occupational culture. Some of us may think we rise above it on some occasions, but, generally speaking, we tend to conform to the norms of this occupational culture, which we say is all powerful in shaping our views and perceptions of a particular community.

(MacPherson, 1999, p. 25)

The occupational culture, then, mediates wider racial categorizations, stereotypes of black youths as criminals being one among many. It moulds these categorizations within the context of routine police work; we have seen how negative views of black youths framed the policing of Brixton more than two decades ago.

To understand why officers fail to define an assault as a racial attack, even a murderous assault such as that of Stephen Lawrence, requires sensitivity to all the contingencies they have perceived and taken into account. These may well extend beyond the relevance of whether or not race is viewed as directly pertinent to an incident. Indeed, I argue that in the Lawrence case it was the failure to take race into account that led to its disastrous handling by the police. If this analysis is accepted, MacPherson's notion of "unwitting," institutionalized discrimination becomes viable.<sup>10</sup>

## **Racial Attacks**

In successive presentations to various public bodies, the Association of Chief Police Officers has recognized the serious nature of racial attacks. Although there is some evidence to the contrary, the commitment to dealing with racial incidents expressed by chief officers on behalf of the whole police service is sufficient to expect officers of all ranks to be aware of their effects on victims, their relatives, and their friends.

The seriousness of racial attacks and harassment, therefore, cannot be denied or neglected by the police. In their 1986 report, many years before the Lawrence murder, the parliamentary Home Affairs Select Committee advised all constabularies to make them a priority, a view endorsed by the Home Office. This was a message repeated by subsequent Home Affairs committees and an interdepartmental working party report in 1989.

Since 1985, at the suggestion of the Association of Chief Police Officers (ACPO), the following definition has been operationalised by all police forces: "any incident in which it appears to the reporting or investigating officer that the complaint involves an element of racial motivation; or any incident which includes an allegation of racial motivation made by any person." The intention was to introduce a number of checks and balances into the definition to ensure the adequate reporting and recording of racial incidents. The reporting and investigating officer and any person making an allegation has an opportunity - in theory if not in practice - to define an incident as racially motivated. Further, it is possible for any person to be the victim or perpetrator of an attack, no matter their ethnic origin. The agreed definition should capture the vast majority of racial attacks and acts of harassment, and it remains official policy to this day.

The inconsistent translation of policy, including definitions of racial attack and harassment, into the routine, operational practice of the ranks has persistently dogged policing. An officer recording an incident may abide by the agreed definition if "any other person" conveys a clearly articulated and persistent expression of racial motivation. For many different reasons - a desire to avoid "paper work," a lack of interest, the effects of negative ideas about ethnic minorities, racial prejudice and discrimination, a failure to realize how a racial motive can enter into an offence - an officer might fail to record an incident as racially motivated. A central aspect of this problem is that officers may well underestimate the extent of racial attacks and their impact on victims. Race is not recognized as a dimension of relevance to routine policing.

Formal definitions are important, but they are not necessarily the primary guide for rank-and-file officers who deal with an allegation of racial attack. There may well be a gap between police policy and practice, between the formal and working rules determining police action. The success of the ACPO definition depends ultimately on officers' acceptance of their policy guidelines and other peoples' accusations of racial motivations. Once we talk about officers' acceptance of definitions of racial attack, we have to consider how the occupational culture mediates written policy - how it creates an absence of race as it is put to work on the streets.

Racial attacks are therefore another area of concern to ethnic minorities. The way in which the police have dealt with them or, rather, have failed to deal with them as racialized incidents, has had a negative impact. A 1998 Home Office study estimated that 15 percent of all incidents against ethnic minorities have been motivated by racism. About 41,000 (29 percent) were reported to the police and about 12,222 (8 percent) recorded by the police (Percy, 1998). The police have therefore not been interpreting the definition of racial attacks with the openness expected.

One effect of this pattern of victimization and response has been heightened levels of concern and fear about personal safety among ethnic minorities. Further, there is a documented dissatisfaction with police action and a fostering of negative, racialized relationships between the police and ethnic minorities (Bowling, 1999).

## **Police Immediate Response: Racial Categorizations**

The initial question to ask when considering the police response to the Lawrence murder is, “When did it become apparent to officers that the assailant could have committed the crime with a racial motive?”

This issue of definition and subsequent police action is important because it was reported to the officers attending the scene of the murder that Stephen Lawrence had been “attacked by a gang of white youths who had made off on foot along Dickson Road.” Such information should have raised in their minds knowledge about such a gang committing serious assaults locally, some of them racially motivated.

Duwayne Brookes, Stephen Lawrence’s friend, who was with him when he was killed, stated that the assailants called him “nigger.” Officers were reluctant to accept his account, which suggests that they were unaware of or unwilling to abide by written policy guidelines about the identification of a racial attack within which they should have been working. Further, it suggests that they employed negative stereotypes of black youths when dealing with Brookes; they refused to believe his statement from the outset. If the murder had been defined as a racial attack from an early point, different assumptions would have framed the subsequent police investigation.

Categorizations of black people as troublesome and potentially criminal were evident in the treatment of Duwayne Brookes. Indeed, Brookes was later regarded as a possible suspect when officers questioned him at the hospital to which Stephen Lawrence’s body had been taken. Negative ideas about black youths in particular and black people in general that surfaced in the way officers treated Brookes were also evident in the Brixton incident.

Officers did not define the murder as a racial attack. If we are to understand why this happened, it is necessary to understand the group identification of police officers as they worked within the occupational culture. In this context, the meaning of “irrelevance” is prescribed to many events that could be defined as racial attacks. Race is not a pertinent feature informing many aspects of routine policing: Ethnic minorities should be and, it is supposed, are policed in the same way as the ethnic majority. Their different experience of citizenship, which affects their relationship with the police; their possible criminal victimization on the basis of their status as members of an ethnic minority; and their cultures are not of relevance to police work. From an officers’ routine perspective, the Lawrence murder was therefore not the result of a racial attack. In my evidence to the Lawrence Inquiry, I therefore argued:

At virtually every stage of the investigation of Stephen Lawrence's murder, an inadequate understanding of action to be taken when a crime is thought to have been committed by a person or persons with a racial motive was apparent. To understand why officers acted in this way it is necessary to place them within the wider context of police culture. The officers were "color blind," denying the relevance of the racial status of the victims, the racial motive of the assailant and, therefore, the need for a particular approach to the investigation of the Lawrence murder. The failure of police officers dealing with the Lawrence case to recognize and accept "race" as a central feature of their investigation is in my view central to the deficiencies in policing identified by Kent Police.

11.3. The sustaining of negative relationships with the Lawrence family and Duwayne Brookes; a failure to undertake an adequate investigation; a lack of competent management; and a lack of a particular approach to the investigation of a racial attack were compounded precisely because the officers in charge of the inquiry did not place race at the centre of their understanding of the Lawrence murder and its investigation. Race relations were consistently under-played or ignored. Adequate police action was never considered.

(Holdaway, 1998)

### The Local Context

An explanation of police action when investigating the Lawrence murder should be as concerned with the *absence* as much as the *presence* of racialized categorizations. This is a testing argument because it requires us to demonstrate reasonably that officers could have acted differently, that they had the available information and knowledge to do so, and that criminological analysis is not engaged in a kind of pretentious mind reading. Is there any evidence to support the argument, apart from that already cited?

First, the London Borough of Greenwich, in which the murder was committed, has a sizable black British population. All officers working there should have been aware of the ways in which good relationships between the police and the local black population could be damaged by an actual or perceived inadequate level of police service.

Second, before Stephen Lawrence met his death, it was well known that in Greenwich a number of racial murders and other serious racial attacks had occurred over a preceding number of years and months.

Third, the right-wing British National Party had opened a "bookshop" in the area and was known to be active there.

Fourth, the special racial incidents unit at Plumstead police station, which was near the scene of the murder, and been established some time earlier, employed officers to deal with racial attacks and work with their victims. The existence of this unit should have signaled to all officers working in the Eltham area the seriousness of

such attacks and the need to be particularly aware of the requirement to deal with them appropriately and precisely as racial attacks.

Officers, however, failed to define and investigate the murder as a racial attack. It was defined as a murder, an assault on *any person*, not the murder of a black person, perpetrated by a racial motive and one that could and should have called out particular meanings in officers' minds. Their ideas and related actions created negative rather than positive relationships between the police and the Lawrence family and Duwayne Brookes, with wider repercussions for police race relations generally.

## Conclusions

### Contexts

What can we learn, for policy and for criminological research, from the Scarman and MacPherson reports? The first point is straightforward but uncomfortable for the police. Challenges to police authority by ethnic minorities should be taken seriously. More than 20 years ago, Sir Kenneth Newman, once commissioner of the London Metropolitan Police, put it that, "The police have to thank the West Indians for doing us a favor in making us think again about our authority" (*The Guardian*, 1973). The history of police race relations in Britain has a strong strand of conflict running through it, with pressure for change arising from public inquiries.<sup>11</sup> Change has not been driven spontaneously by the police but required by the findings of various inquiries into insensitive and inappropriate police work. This context begs researchers to take seriously and understand processes of conflict.

Second, we are reminded time and again how police rhetoric and written policy do not provide an adequate account of police action. The distinction between "policy as it is written" and "policy in action" is fundamental to understanding police race relations (Barrett and Fudge, 1981; Holdaway, 1983, 1987). We cannot understand this distinction between police race relations policy and action adequately, however, in terms of a 'cultural lag' - ethnic minorities clutching to their own customs and mores, inhibiting assimilation and leading to police misunderstanding.

Cultural differences are important, as is the notion of a 'multicultural society', but cultures are not possessed by groups of people who identify with them uniformly. They are a complex, often ambiguous array of signs, symbols, affectations, values, and other phenomena that are negotiated in myriad contexts (Barth, 1969; Eidheim, 1978).<sup>12</sup> In the context of policing, some members of some ethnic minorities might emphasize distinct cultural traits that are given a much lower profile in other



contexts. Black youths in Brixton, for example, may have emphasized their ethnic minority identity by a range of affectations, responding to the feeling that they were overpoliced. The same could be argued about the Lawrence family's response to a police failure to recognize that they were victimized because they were members of an ethnic minority.

Police action can therefore intensify a minority identity, including a sense of cultural difference and the action related to it. The conflicts encountered by officers involved in both incidents, however, were not related primarily to cultural differences. Police categorizations of ethnic minorities have to be related to minority ethnic group responses, and minority ethnic categorizations of the police have to be related to police group responses. Processes of racialization include both group identification and categorization. Police race relations must be understood as an interactive process.

We need to research more carefully the ways in which particular contexts of policing lead to particular outcomes. Work of relevance to this topic, completed some time ago, suggests that demeanor, voice tone, empathy, and so on are all critical (Southgate and Ekblom, 1984; Southgate, 1986; Southgate and Crisp, 1992). In his study of the 1981 riots, Michael Keith discovered that "place" was particularly important. He pointed out that particular geographical locations have symbolic importance, sometimes for ethnic minorities, sometimes for the police (Keith, 1993). When incidents occur in these localities, there is a likelihood of conflict.<sup>13</sup> Time is a further dimension of importance. These and other factors will differ between ethnic minorities as they will in relation to gender and age within each minority group.

Finely grained descriptions and analyses of these subjects would help us to understand the forms and content of interaction between ethnic minorities and the police. They would analyze processes of racialization. Importantly, they would take us beyond outcome studies of the differential use of law and policy and help us to identify contexts within which particular actions lead to prejudice and discrimination.

### **Differentiation**

The pattern of change among Britain's ethnic minorities is one of increasing differentiation, which could have implications for the type of contextual analysis I have suggested. It could mean that ethnic groups with a particular historical relationship of difficulty with the police - Afro-Caribbean and Pakistani youths, for example - form alliances on the basis of a shared experience of being black or a common perception of victimization by police oppression. Alliances could also be

based on the experience of receiving similar, material rewards, bringing some black youths closer to some Asian youths who live in the same city, perhaps under the symbol of being 'black'. Some more socially mobile groups - for example, the Chinese, who are achieving high educational qualifications - may become less concerned about the police. This would hold for younger people but maybe not for their parents, whom we know to be victims of racial attacks.

None of these changes are predictable. They are possibilities. However, if patterns of ethnic differentiation become more marked, we might see a strengthened view of Britain as a multicultural society. In this situation, with the identification of ethnic groups by cultural reference points, the notion of distinct cultures will be strengthened, homogenized, and reified. Ironically, the language of celebrating diversity within a multicultural society could have the effect of constructing a spurious unity within ethnic groups. Attention may be diverted from the fluidity and contextual perspective I have stressed, with a consequence that the police revert to a view that police race relations are indeed about understanding different cultures, constructing ethnic boundaries that mark 'them' as different from 'us'.

A key point about this reification of cultures is precisely that ethnic boundaries identify not just others but also ourselves. Every identification of an ethnic minority is at the same time an identification of an ethnic majority. To identify Pakistanis as having a distinct culture and identity, for example, is to identify English people as having a different culture and identity. To chart the contours of not being "black" is to chart the contours of being "white" and, therefore, what black is not. Multiculturalism can become a convenient umbrella under which racism flourishes, which is the situation in the United States and Canada.

Police officers tend to work with rather clear-cut, polarized views. Actions are either right or wrong, with little middle ground. We all use what Schutz has called "typifications", we have to if we are to act coherently within a world of infinite variation and complexity (Schutz, 1967). However, within the context of routine police work, and as I have outlined elsewhere, typifications easily become stereotypes, risking prejudice and discrimination, not least when officers are dealing with members of ethnic minorities (Holdaway, 1996, 1997). If the notion of multiculturalism and diversity is strengthened in contemporary Britain, officers' views of ethnic minorities may become more rigid and open to stereotyping.<sup>14</sup> An emphasis on cultural differences may enhance separation rather than unity between ethnic minorities and the ethnic majority. The possibility of negative racialized relations arising from this situation is considerable.

## Policy

Throughout this paper I have argued that an analysis of police race relations should focus primarily on the ways in which relationships are ascribed with the meaning of 'race'. An emphasis on the problems of policing people from different cultures can be misleading, both theoretically and as a means of identifying policy reform. Police community and race relations policy should recognize both differences and similarities among ethnic minority and majority groups. Differences should encompass some aspects of minority cultures (and majority cultures too) but be primarily about the ways in which the experiences of racialized prejudice and discrimination among ethnic and other minorities has an impact on policing. Further, an analysis of outcomes related to ethnicity returns us to the processes that led to them. Clear policy reforms are implied by this analysis. In this section of the paper I will review relevant, current proposals for police reform in the light of this analysis.

After the Lawrence Inquiry report was published, the Home Secretary, Jack Straw MP, drew up a national action plan for police race relations. This was a novel approach for a U.K. government and marked an important moment for police race relations and race relations generally. The statement was one of intent. It included a commitment by the government to build an antiracist society, with a priority for all government ministries to eliminate prejudice and discrimination from its policies, taking into account the need for interministerial cooperation when formulating policy. All public-sector organisations, including the police, now have to demonstrate how they have taken steps to eliminate discrimination from the delivery of their services, personnel policies, and so on.

Constabularies are required to place race relations at the center of their work and integrate policy and practice into routine policing, taking into account the culture of policing.

The changes required by the Lawrence Inquiry will only work if they are systemic, embraced by the culture of the police service, as well as its practice. That means that they must be implemented within the mainstream of the service at every level - not seen as some "bolt on extra". Providing a police service in which all sections of our multi-ethnic and multi-cultural society can have trust and confidence is not peripheral to policing - it is the core task of policing.

(The Home Office, 1999, p. 2)

Ministries and constabularies should work in partnership with ethnic minority groups to assist the adequate implementation of the action plan. Building and retaining public trust is central with "The overall aim being the elimination of racist prejudice and disadvantage and the demonstration of fairness in all aspects of policing" (The Home Office, 1999, p. 3).

New performance indicators to cover many areas of policy implementation will be defined by Her Majesty's Inspector of Constabulary, and the Inspectorate will play an increased role by conducting routine thematic race relations inspections of samples of constabularies and one-off, no notice inspections of race relations in selected forces. Her Majesty's inspectors will be accompanied and assisted in these inspections by lay people, including people from ethnic minorities. The action plan puts it that inspections should be 'frequent, rigorous and challenging'. They would include the recruitment, promotion, and retention of ethnic minority officers, with each constabulary being given a recruitment target for ethnic minorities by the Home Office.

In addition to his own oversight of the action plan, the Home Secretary established a monitoring group with a membership of people from ethnic minorities, including Stephen Lawrence's parents, police associations, government organisations and others, with the specific task to monitor and report on progress.

This type of governmental intervention in police race relations was new. The Home Office has always advised chief constables about various matters, but an action plan for their own and others' implementation was novel. It was important because it marked an intention by government and a clear framework for policy. However, we do not yet know how far the 43 constabularies have implemented the plan, and the findings of the monitoring group have not been published. This does not mean that the government's response was tokenistic. However, there is no doubt that the Home Office has lost some momentum, and there is a need for a clear statement of progress in the near future.

One would expect all constabularies to have undertaken thorough audits of their race relations policies and practices since the publication of the MacPherson Report. Police attention has certainly been focused on recruitment targets, and this might be indicative of their preference for tangible achievements. There can be no doubt that the recruitment of more officers from ethnic minorities is important. Research shows, however, that recruitment is closely related to the routine quality of policing ethnic minorities, and, on its own, recruiting from ethnic minorities makes little difference to the problems thrown up by the Brixton and Lawrence cases (Holdaway, 1991, 1996; Holdaway and Barron, 1997). There is yet to be a systematic evaluation of the ways in which all 43 constabularies in England and Wales have responded to the Lawrence Inquiry report and the Home Secretary's action plan. Until that research is undertaken, it is not possible to know accurately how police race relations policies are developing.

As far as the use of the power to stop and search is concerned, a small number of constabularies have completed analyses to identify ethnic bias by officers. To my knowledge, they have been undertaken in the metropolitan area, in the mix of urban and rural country that is covered by the South Yorkshire Police, and in rural Norfolk. Ethnic bias has been identified in all these force areas. Importantly, a number of pilot stop-and-search schemes are running in the Metropolitan Police Service, which are basically concerned with officers using data from crimes analysis, to target more precisely the areas in which stop and search might be used effectively. Also, they are required to explain more fully to their supervisors why they have used the power to stop and search, thus becoming more accountable. The results of the pilot are not yet known.

Many of the Home Secretary's action plan points should create greater accountability and openness within constabularies, not the least through the inclusion of lay people for inspections and other work. The selection of the right personnel to undertake such work within the often highly charged political context of race relations is not easy. My view is nevertheless that the more the police involve members of ethnic minorities in the formulation and development of their policies, the more trust and confidence will be secured.

This is also the case with basic and continuation training, and the Home Office has contracted a training consultancy to advise constabularies about their training provisions. Again, there has not been any systematic appraisal of this work but, from discussion with senior officers, I have the clear impression that there is still a tendency to place undue importance on cultural differences in training provisions. The Metropolitan Police Service, for example, has recently published a guide about ethnic minority cultures and circulated it to all its officers, which is surprising given the irrelevance of the misunderstanding of culture to the Lawrence murder inquiry. The police face problems of negative, racialized relations, not of cultural appreciation and understanding.

My view is that it is far more important for officers to understand and work on the basis of the different experience of citizenship experienced by some ethnic minorities. Central to this work is an officer's response to that experience, to his or her own views about ethnic minorities and how they should be policed. There needs to be a clear recognition of the importance of race within policing - to tackle the problem of absence and neglect identified in the Lawrence case - and its direct relevance to routine police work.

Much more is required, however, not least to address the group and wider, organisational context of policy. It is crucial for training to be related to routine

police work. Indeed, all policy for police race relations should be integral to routine policing, and the Home Secretary's plan has this notion at its center. In England, there has been an absence of overarching police race and community relations policies in constabularies. Two searching reports based on inspections undertaken in a number of constabularies have led Her Majesty's Inspector of Constabulary to recommend strongly that basic race and community relations policy statements are developed by all constabularies and that chief officers express their commitment to them publicly (Her Majesty's Inspectorate of Constabulary, 1997; 1999). The Home Secretary's action plan was influenced by the Inspectorate's findings. Once in place, race policies should provide a clear framework for force policy at the local level and the evaluation of divisional commanders' work.

Officers of managerial rank can only have so much influence, however. The key personnel with significant opportunities to change routine policing are lower ranked supervisors, inspectors, and sergeants. It is crucial that they have the training and build the confidence to create a climate in which a high quality of police service is offered to all sections of the population, to encourage officers to recognize the pertinence of ethnicity to routine policing, to challenge individual officers who display inappropriate views, and so on. This will need sensitive training, real rewards for demonstrated competence, and a managerial framework of support. It will also need the identification of examples of good practice in police race relations, which we do not have. The focus of research has tended to be on bad rather than good practice. If this idea is accepted, there is a great deal of scope for criminologists and police officers to work together to analyze the ways in which occupational culture affect police relations with ethnic minorities, and find solutions. Before this can be done, however, the police have to accept the need for cultural change within their organisation, and criminologists have to move beyond theory to the practicalities of policy making, implementation, and management.

Officers do not police ethnic minorities in a wholly distinct manner, a point made several times in this paper. The occupational culture of the lower ranks is central here and officers' common-sense views about policing are all important. Any reforms will be filtered through this common sense, refracted as new ideas harmonize with or jar against taken-for-granted assumptions. Processes of racialization are mediated through the occupational culture of the rank and file, which informs all policing and binds the policing of ethnic minorities to routine policing (Holdaway, 1996; 1997).

The changes the Home Secretary requires are about race relations *and*, crucially, imply but do not recognize sufficiently the need for fundamental reform of the culture of policing. One of the values of analyzing race relations within the police is

the way it brings into clear view problems of policing per se. Race is a litmus test for all policing. Because the occupational culture - like all cultures - is taken for granted, a reflective capacity is required to realize its features, the ways in which it guides work, informs judgments, and so on. Once the taken-for-granted way of thinking about policing and practicing police work is suspended as just one perspective, alternatives become more possible. The notions of the similar and distinct requirements of policing ethnic minorities become feasible, the response of ethnic minorities to the use of stop-and-search powers becomes more understandable, and the need to identify racially motivated crime as good policing develops. Cultural change, however, is extremely difficult to realize and will require the concerted efforts of the managerial and supervisory ranks over a considerable period of time.

The Scarman and Lawrence reports were key moments in the development of police race relations in the United Kingdom. They were litmus tests of policing, pointing to calamitous outcomes of police action. More important, however, and this is the criminological task, is the description and analysis of the processes that led to the outcomes identified in the reports. Race is socially constructed, moulded within the crucible of routine policing. If we do not understand routine policing more fully, police race relations will not be reformed adequately.

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## Notes

- <sup>1</sup> In this paper I will use the notions of "race" and "ethnicity" interchangeably. I agree with Eriksen's view that, "Ideas of 'race' may or may not form part of ethnic ideologies, and their presence or absence does not seem to be a decisive factor in interethnic relations." (Eriksen 1993, 5).
- <sup>2</sup> I am grateful to a reviewer of this paper for pointing to the weaknesses of a previous definition of racialization I included in a draft of this paper. Also, it is accepted that skin color, as an identifier of racial origin, is by no means the only identifier used by the police. Other characteristics, more usually viewed as related to ethnicity, religious affiliation, or dress, for example, are of importance. In this paper the interest is in the main ethnic minority groups in England, people of Afro-Caribbean and Asian origin, whom the police usually identify by skin color.
- <sup>3</sup> The history of police race relations is mainly one of tension and conflict. However, the constructionalist view is also consistent with the idea of positive racialized relations. The notion of race does not have to be one with negative meanings, of course it does not, and sometimes officers recognize the centrality of race to incidents, placing race in the ascendant in a positive, responsive manner.
- <sup>4</sup> There is not scope in this paper to include the ethnographic detail of evidence that explicates fully the

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analysis offered. A reader who wants to read further about the studies upon which my paper is based is referred to Holdaway 1983, 1987, 1991a, 1991b, 1996, 1997a, and 1997b; and Holdaway and Barron 1998.

- <sup>5</sup> I recognize that some aspects of ethnic minority cultures are of relevance to policing. However, they are not the primary features of a solid analysis.
- <sup>6</sup> We are talking about a third generation of people with very different geographical origins.
- <sup>7</sup> The 1991 census is the latest available. It was retaken in 2001.
- <sup>8</sup> At this time, police commanders were almost without exception male.
- <sup>9</sup> In the UK, the term “Asian” means people from the South Asian region, for example, India, Pakistan, and Bangladesh.
- <sup>10</sup> This is arguing that a failure to take race into account, or doing nothing, is sustaining racialized relations. We will tackle later the difficult question of how one can substantiate whether or not a person who has done nothing had the information that would have allowed them to act differently.
- <sup>11</sup> This does not mean that routine relationships between the police and ethnic minorities are always difficult. They are not.
- <sup>12</sup> A question about the “reality” of minority ethnic cultures has been posed and challenged in this paper. However, the notion of a police occupational culture is central to it. This culture is constructed, of course, but for many and complex reasons associated with the police mandate, with the tightly knit relationships within the police workforce, with a perception of a hostile world that requires officers to be vigilant, and so on, there is adequate social science evidence to conceptualize it as a shared culture, with very strong, real effects on police action. The relevant literature is referred to in this paper.
- <sup>13</sup> This point is of import to recent conflict between Israelis and Arabs.
- <sup>14</sup> My research about police race relations in Toronto suggests that this point is of more general relevance.

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